

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**NORTHERN DIVISION**

**U.S.A. vs. Kevin Lamar Wingfield**

**Docket No. 2:04-CR-36-1BO**

**Petition for Action on Supervised Release**

COMES NOW Dwayne K. Benfield, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin Lamar Wingfield, who, upon an earlier plea of guilty to Possession With Intent to Distribute More Than 5 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on March 15, 2005, to the custody of the Bureau of Prisons for a term of 100 months. On September 4, 2008, pursuant to 18 U.S.C. § 3582(c)(2), Retroactive Crack Cocaine Amendment, the defendant's sentence was reduced to 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Kevin Lamar Wingfield was released from custody on March 11, 2010, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR  
CAUSE AS FOLLOWS:**

On March 22, 2011, the releasee submitted a urine sample that yielded a positive result for marijuana.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

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2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.
3. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two consecutive days as arranged by the probation office. He shall abide by the rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Senior U.S. Probation Officer  
201 South Evans Street, Room 214  
Greenville, NC 27858-1137  
Phone: (252) 758-7200  
Executed On: April 5, 2011

**ORDER OF COURT**

Considered and ordered this 9 day of April, 2011, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge